

REMARKS/ARGUMENTS

I would like to thank Examiner Bonck for the courtesy extended to me during a telephone interview concerning this patent application on October 5, 2005. During the interview there was a discussion of the claims and in particular a discussion on amending claim 1 to further define the structure of the oil localization slots. There was also a discussion of the teaching of the primary reference (Collis et al) during the telephone interview. Examiner Bonck requested that the proposed amendment for claim 1 be submitted, but did not make any commitment with respect to the allowability of the proposed amendment.

In the Office Action claims 11 and 34 were objected to because of informalities in the claims. Claim 11 has been amended to correct the language and strike-through for this claim. Claim 34 has been amended to remove the reference numerals. It is submitted that the amendments to claims 11 and 34 overcome the objections set forth for the claims.

Claims 5, 10, 12, 23 and 25 were rejected under 35 USC § 112, second paragraph, as being indefinite. These claims have been canceled and there is no longer an issue concerning this rejection for the claims.

Claims 1-5, 7, 8, 10-18, 20, 21 and 23-35 were rejected under 35 USC § 103 (a) as being unpatenable over the Collis et al. reference in view of the Kremsmair et al. reference.

Claims 1, 14 and 27, the independent claims in this patent application have been amended to more clearly define that the oil localization slots have sidewalls that diverge from the opening and have a width that varies along the length of the slot and that the width is wider than the opening for the slot. The amended claims define the invention disclosed in applicant's specification and drawings wherein the reservoir has an increasing cross-sectional area when moving in a radial direction from the opening at the edge of the friction material towards the middle of the friction material.

The Collis reference defines slots in a friction material but the slots have parallel or converging sidewalls as the sidewalls extend in a radial direction from the opening at the edge of the friction material. It is submitted that the Collis reference does not disclose or suggest a reservoir that has sidewalls that diverge in a radial direction as the sidewalls extend from the opening at the edge of the friction material as defined by applicants' claims. Accordingly, it is submitted that the Collis reference does not disclose or suggest the invention defined by applicants' claims and the Examiner is requested to withdraw this basis for rejection for the claims.

The Kremsmair reference discloses a friction lining that can be positioned on a supporting ring. The friction lining has a plurality of radial oil grooves which are formed in the friction lining. When the oil grooves are first cut in the friction lining the oil grooves that will be positioned adjacent the inner diameter of the supporting ring has converging sidewalls and the slot that will be positioned adjacent the outer circumference of the supporting ring has converging sidewalls. However, when the segments of friction material are positioned on the circular supporting ring the oil grooves that extend from the outer circumference are caused to close and the oil grooves that extend from the inner circumference of the supporting ring are caused to open whereby the oil grooves have sides that are parallel. This is clearly shown in Fig. 1 of the Kremsmair reference where a finished friction ring is displayed. Thus the Kremsmair reference discloses a friction ring having slots in the friction material wherein the slots have parallel sides. Accordingly, the Kremsmair reference does not provide the deficiencies of the previously discussed Collis reference. In fact, the Kremsmair reference teaches away from the invention defined by applicants' claims as this reference form slots that have converging and diverging sidewalls in the friction segments but the converging and diverging slots are designed to provide a slot with parallel sidewalls when the friction segments are bent and positioned on a circular friction ring. By taking the friction material with slots having converging and diverging sidewalls and positioning the friction material on a friction ring so that the sidewalls that

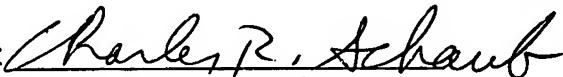
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define the slots become parallel, the Kremsmair reference clearly teaches that parallel sidewalls for the slots in the friction material are preferred and that slots having sidewalls that diverge in a radial direction as they move from the opening at the edge of the friction material are not preferred. This is the exact opposite from the structure that is defined by applicants' claims. Accordingly, the Kremsmair reference, taken individually or in combination with the Collis reference, does not disclose or suggest the invention defined by applicants' claims and the Examiner is requested to withdraw this basis of rejection for the claims.

In view of the amendments to the claims and the arguments set forth herein it is respectfully submitted that the claims patentably distinguish over the prior art cited by the Examiner. Accordingly, a favorable action on the claims is respectfully requested. Alternatively, this amendment has reduced the issues present and places the claims in better condition for appeal and it is requested that the Examiner enter this amendment.

Respectfully submitted,

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